

ENTERED ON DOCKET

DATE 5-27-93

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW O'BRIEN,

Defendant.

No. 92-CR-145-C

FILED

MAY 26 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER

Now on this 26 day of May, 1993 this cause comes on to be heard in the matter of the plaintiff's request made in open court to dismiss, with prejudice, the Indictment against defendant Matthew O'Brien in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Matthew O'Brien is dismissed, with prejudice.

IT IS SO ORDERED.

(Signed) H. Dale Cook

H. DALE COOK
United States District Judge

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. M. Lawrence
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 26 1993
FILED

MAY 25 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY JAMES HILL,

Defendant.

Case No. 88-CR-110-B

O R D E R

Before the Court for consideration is the Defendant's Motion for Resentencing (Docket #75) filed May 17, 1993. The Court concludes a hearing is not necessary. Pursuant to the Court of Appeals Order of February 19, 1993, the portion of this Court's Judgment and Sentence filed July 10, 1992, imposing a six month term of supervised release is hereby VACATED and set aside.

IT IS SO ORDERED THIS 25 DAY OF MAY, 1993.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

United States District Court

Northern District of Oklahoma

FILED
MAY 25 1993
Edward M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 92-CR-140-001-E

BRANT EDWARD VANDEVER

(Name of Defendant)

William Lunn

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Indictment
☐ was found guilty on count(s) ----- after a
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number
18:641	Embezzlement of Postal Funds	05-22-92	One

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) -----,
 and is discharged as to such count(s).
☐ Count(s) ----- (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s)
One of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 440-72-2259

Defendant's Date of Birth: 09-09-70

Defendant's Mailing Address:

1437 North Urbana
Tulsa, Oklahoma 74115

Defendant's Residence Address:

1437 North Urbana
Tulsa, Oklahoma 74115

sm

United States District Court
 Northern District of Oklahoma
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Jack C. Silver, Clerk

By

Deputy

May 7, 1993

Date of Imposition of Sentence

X James O. Ellison
 Signature of Judicial Officer

James O. Ellison, Chief U. S. District Judge

Name & Title of Judicial Officer

5/24/93

Date

ENTERED ON DOCKET

DATE 5/26/93

Defendant: BRANT EDWARD VANDEVER
Case Number: 92-CR-140-001-E

Judgment—Page 2 of 4

PROBATION

The defendant is hereby placed on probation for a term of three years as to Count One of the Indictment.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

1. The defendant shall pay restitution in the amount of \$3,101.23, to American Speedy Printing in monthly installments as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis as directed by the U. S. Probation Office.

Defendant: BRANT EDWARD VANDEVER
Case Number: 92-CR-140-001-E

Judgment—Page 3 of 4**RESTITUTION AND FORFEITURE****RESTITUTION**

☒ The defendant shall make restitution to the following persons in the following amounts:

Name of Payee**Amount of Restitution**

ITT Hartford
Texas Regional Office
c/o American Speedy Printing
450 Gears Road, Suite 500
Houston, Texas 77067-4585

\$3,101.23

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:
in monthly installments as directed by the U. S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: BRANT EDWARD VANDEVER
Case Number: 92-CR-140-001-E

Judgment—Page 4 of 4**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 5Criminal History Category: IImprisonment Range: 0 to 6 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 250 to \$ 5,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 3,101.23

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

DATE 5/26/93

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID EUGENE MARSHALL,

Defendant.

FILED

MAY 19 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

No. 92-CR-68-E

MOTION FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment against David Eugene Marshall, defendant.

FILED

MAY 25 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

F.L. DUNN, III
United States Attorney

DAVID E. O'MEILIA
Assistant United States Attorney
3900 U.S. Courthouse
333 West 4th Street
Tulsa, Oklahoma 74103
(918) 581-7463

ORDER

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Indictment, as pertains to DAVID E. MARSHALL only.

United States District Judge

Date:

5/24/93

United States District Court
Northern District of Oklahoma
Tulsa, Oklahoma
In this Court

Jack C. Oliver, Clerk

By

By M. Cullough
Deputy

ENTERED ON DOCKET

DATE MAY 25 1993

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

MAY 24 1993

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

ERIC MICHAEL ANDERSON)

Defendant.)

Docket No. 88-CR-91-001-C

ORDER REVOKING SUPERVISED RELEASE

Now on this 18th day of May, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Amended Petition on Supervised Release filed in open Court on April 16, 1992. The defendant is present in person and represented by counsel, Craig Bryant, Assistant Federal Public Defender, and the government by Susan Morgan, Assistant U. S. Attorney.

The defendant was heretofore, on January 10, 1989, convicted on his plea of guilty to Count One of a one-count Indictment charging False Statements, in violation of Title 18, United States Code, Section 1001, and was sentenced on January 10, 1989, to the custody of the Attorney General for a term of fifteen months to be followed by a three year term of supervised release.

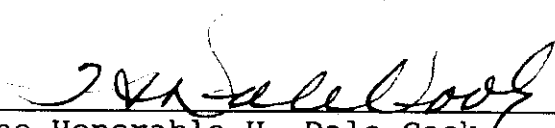
Before the defendant was released from the Bureau of Prisons on March 14, 1990, a detainer was lodged by Pennsylvania authorities. He was subsequently released from the detainer on

July 14, 1990, and began service of the federal three year term of supervised release. On September 3, 1992, the U. S. Probation Office filed a Petition on Supervised Release and subsequently filed an Amended Petition on Supervised Release on April 26, 1993, alleging that the defendant violated five conditions of his supervised release: 1) Driving Under the Influence of Alcohol (felony); 2) Driving Under Suspension (misdemeanor); 3) Actual Physical Control of a Motor Vehicle While Intoxicated (felony); 4) Leaving the judicial district without the permission of the Court or Probation Officer; and, 5) Failing to submit a truthful and complete written report within the first five days of each month.

A revocation hearing was held on May 3, 1993. After the Court received stipulations by the defense to the allegations in the Amended Petition, the Court made a finding that the defendant violated his conditions of supervised release as memorialized in the Amended Petition on supervised release filed on April 26, 1993. A Sentencing Hearing was set for May 18, 1993.

The Court finds that the offense of conviction occurred after October 31, 1987, therefore, the Sentencing Reform Act of 1984, which went into effect November 1, 1987, applies.

It is hereby ordered by the court that the defendant's supervised release is revoked, and that he is sentenced to the custody of the Bureau of Prisons for a term of twelve months.



The Honorable H. Dale Cook
United States District Judge

Reviewed and Approved:



Susan K. Morgan, Assistant U. S. Attorney

ENTERED ON DOCKET
MAY 25 1993
FILE

United States District Court

MAY 25 1993

NORTHERN

District of OKLAHOMA

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

LOUIS ERNESTO SANTURIO

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 92-CR-133-001-C

(Name of Defendant)

Jo Stanley Glenn

Defendant's Attorney

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
- ☒ was found guilty on count(s) One of the Indictment - Guilty by Jury after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:841(a)(1) and (b)(1)(A)(ii)	Possession With Intent to Distribute Cocaine	10-13-92	I

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 055-48-4066Defendant's Date of Birth: 12-29-45

Defendant's Mailing Address:

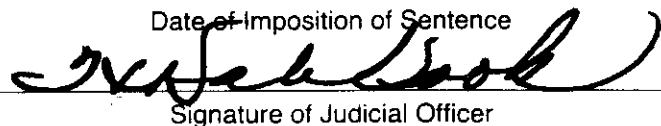
663 Ellsworth St. NOTE: (Defendant isBridgeport, CT 06605 currently in custody
of Bureau of Prisons)

Defendant's Residence Address:

Custody of Bureau of Prisons

May 18, 1993

Date of Imposition of Sentence



Signature of Judicial Officer

H. Dale Cook, U.S. District Judge

Name & Title of Judicial Officer

Date

Defendant: LOUIS E. SANTURIO
Case Number: 92-CR-133-001-C

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 120 months

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant be required to pay half of any money earned in custody, toward his fine, through the Inmate Financial Responsibility Program.

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district.

- ☐ at _____ a.m.
☐ at _____ p.m. on _____
☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.

- ☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: LOUIS SANTURIO
Case Number: 92-CR-133-001-C

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
five (5) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☒ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.
- 1. The defendant shall participate in drug testing as directed by the U.S. Probation Office.
- 2. The defendant shall pay any remaining fine as directed by the U.S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U.S. Probation Office.

Defendant: LOUIS SANTURIO
Case Number: 92-CR-133-001-C

Judgment—Page 4 of 5**FINE**

The defendant shall pay a fine of \$ 3,000.00. The fine includes any costs of incarceration and/or supervision.

☐ This amount is the total of the fines imposed on individual counts, as follows:

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☒ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

Any remaining fine is to be paid as directed by the U.S. Probation Officer.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LOUIS SANTURIO
Case Number: 92-CR-133-001-C

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 35Criminal History Category: IImprisonment Range: 168 to 210 monthsSupervised Release Range: 5 ~~xx~~ yearsFine Range: \$ 20,000 to \$ 4 Million

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

☐ Full restitution is not ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☒ for the following reason(s): **The Court finds that a sentence of 120 months, the statutory minimum, adequately addresses the defendant's involvement in the offense.**

MAY 25 1993

DATE

United States District Court **FILED**

NORTHERN

DISTRICT OF

OKLAHOMA

MAY 24 1993

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMAJack D. Smith
1010 County Club Drive
Nowata, OK 74048

Case Number: 92-CR-141-001-C

(Name and Address of Defendant)

James Lang/G. Steven Stidham

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One of the Information, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One of the Information

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Conspiracy to Traffic in Counterfeit Goods
Title 18, United States Code, Section 371

IT IS THE JUDGMENT OF THIS COURT THAT:

The imposition of sentence shall be suspended, and the defendant is placed on probation for a term of three (3) years. A fine of \$15,000 is ordered, which shall be due immediately.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:

IT IS FURTHER ORDERED THAT counts One through Eleven of the Indictment are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

May 18, 1993

Date of Imposition of Sentence

H. Dale Cook
Signature of Judicial Officer

H. Dale Cook, U. S. District Judge

Name and Title of Judicial Officer

May 24 1993

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

ENTERED ON DOCKET

DATE 5-20-93 FILED

United States District Court

MAY 19 1993

NORTHERN

District of OKLAHOMA

RESENTENCING

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

STEPHANIE CAROL KEITH

Case Number: 90-CR-100-001-C

(Name of Defendant)

Rob Nigh

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Information
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:472	Conspiracy to Use an Unauthorized Access Device	09/89 - 10/89	

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Information, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 241-04-2582Defendant's Date of Birth: 02-11-56

Defendant's Mailing Address:

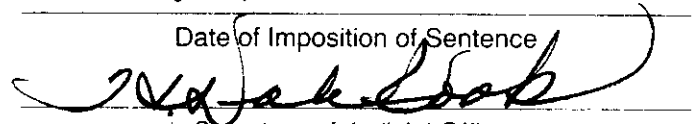
555 Gray RoadVanceboro, NC 28586

Defendant's Residence Address:

Same as above

May 18, 1993

Date of Imposition of Sentence



Signature of Judicial Officer

The Honorable H. Dale Cook
U. S. District Judge

Name & Title of Judicial Officer

5-19-93

Date

jbj

By  Deputy

Defendant: **Stephanie Carol Keith**
Case Number: **90-CR-100-001-C**

Judgment—Page 2 of 7

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TIME SERVED.

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m. _____ p.m. on _____
☐ as notified by the United States marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: Stephanie Carol Keith
Case Number: 90-CR-100-001-C

Judgment—Page 3 of 7

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
THREE YEARS

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

For Special Conditions see page 4.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Stephanie Carol Keith
Case Number: 90-CR-100-001-C

Judgment - Page 4 of 7

SPECIAL CONDITIONS:

The defendant shall participate in an outpatient or residential substance abuse treatment program as directed by the probation office.

The defendant shall submit to a search by a U. S. Probation Officer of your person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. You shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition, and without having obtained written acknowledgement of an agreement to allow such searches from other residents. This acknowledgement shall be provided to the U. S. Probation Office prior to residency.

Defendant: Stephanie Carol Keith
Case Number: 90-CR-100-001-C

Judgment—Page 5 of 7

RESTITUTION AND FORFEITURE

RESTITUTION

☒ The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

Please see page 6.

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments: As directed by the U. S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here."

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: Stephanie Carol Keith
Case Number: 90-CR-100-001-C

Judgement - Page 6 of 7

RESTITUTION

Pay restitution in the total amount of \$17,632.16 to the following victims in the amounts specified below:

Name of Payee	Amount of Restitution
a. First Bank Card Center (Visa) P. O. Box 3437 Omaha, Nebraska 68107 (Act. No. 4418023726238157)	\$5,753.03
b. First Bank Card Center (Master Card) P. O. Box 3437 Omaha, Nebraska 68107 (Act. No. 5411170646085186)	\$6,633.17
c. Sears P. O. Box 29600 New Orleans, Louisiana 70189 (Act. No. 780538887743)	\$1,022.11
d. J. C. Penney's P. O. Box 31 Shawnee Mission, Kansas 66201 (Act. No. 56300298653)	\$2,370.38
e. Phillips 66 Company P. O. Box 80 Bartlesville, Oklahoma 74005 (Act. No. 6218377502)	\$ 110.72
f. Banc-First of Muskogee P. O. Box 1489 Muskogee, Oklahoma 74401 (Act. No. 0303580765)	\$1,370.60
g. William D. Hamilton 2201 Elmira Muskogee, Oklahoma 74401	\$ 372.15

Defendant: Stephanie Carol Keith
Case Number: 90-CR-100-001-C

Judgment—Page 7 of 7

STATEMENT OF REASONS

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary): The Court finds the guideline range to be 4 2/3 months to 14 months pursuant to 18:3565(a).

Guideline Range Determined by the Court:

Total Offense Level: 11

Criminal History Category: I

Imprisonment Range: 4 2/3 to 14 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 17,632.16

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

ENTERED ON DOCKET

DATE 5-20-93

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LYNDON BRUCE TEAFATILLER,

Defendant.

No. 92-C-812-C
87-CR-177-C

FILED

MAY 19 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER

Before the Court is the motion of defendant pursuant to 28 U.S.C. §2255. He raises four grounds for relief: (1) he did not fully understand the consequence of his guilty plea, (2) this Court may have been prejudiced by incorrect information in the Presentence Report, (3) disparity in sentencing and (4) his plea violated the Double Jeopardy Clause. Grounds (1) and (4) will be addressed together.

Defendant was originally charged in a three-count indictment in 87-CR-89-B. Pursuant to a plea agreement, he pled guilty to violations of 21 U.S.C. §841(a)(1) and 18 U.S.C. §2 (Distribution of Methamphetamine and Aiding and Abetting). He was sentenced on October 1, 1987 to ten years in custody, three years supervised release and a \$50 special assessment. Defendant was indicted again in a two-count Indictment in 87-CR-177-C and was charged in Count Two of that Indictment with operating and conducting a Continuing

Criminal Enterprise (CCE) in violation of 21 U.S.C. §848. Pursuant to a plea agreement, defendant agreed to plead guilty to the CCE count, in return for which Count One would be dismissed and the previous conviction in 87-CR-87-B would be vacated, with defendant receiving full credit for time served. The plea was entered on May 12, 1988 and on July 13, 1988, defendant was sentenced to 16 years, with credit for time served. He filed no appeal.

Defendant now contends that he "did not fully understand the consequences of his plea" in that he was led to believe that "the sentence would be no more severe than the one he was serving on the original indictment" He concludes that "[h]ad defendant realized the seriousness of his actions, he would have refused to plead until the question of violations of his Fifth Amendment rights were settled via an evidentiary hearing." This dovetails with ground (4) of the motion, which directly asserts a Double Jeopardy violation. Although the issue was not raised on appeal, the Court will address it, as it implicates a possible "miscarriage of justice." United States v. Smith, 843 F.2d 1148 (8th Cir. 1988).

A voluntary guilty plea precludes a criminal defendant from subsequently asserting a double jeopardy defense that was not apparent on the face of the record before the court accepting the plea. See United States v. Broce, 488 U.S. 563, 569 (1989). Far from being facially-apparent, no Double Jeopardy violation existed under these facts. See Garrett v. United States, 471 U.S. 773 (1985) (prior conviction of a predicate offense does not bar CCE

prosecution). His argument that he was unaware of the possible sentence is belied by the plea agreement, signed by defendant, which sets forth the applicable penalty (ten years to life) and the statement that sentencing is solely within the court's discretion. The possible sentence was explained again at the plea hearing. From the review of the record, the Court is persuaded that defendant's plea was knowing and intelligent. Therefore, grounds (1) and (4) are rejected.

Ground (2) is that the PSI contained inaccurate, erroneous and misleading information. Petitioner presented a sentencing memoranda prior to his sentencing although it was apparently not filed, and the matters raised were addressed at the time of sentencing. It is too late to challenge the accuracy of other matters. See United States v. Edmondson, 818 F.2d 768, 769 (11th Cir. 1987); cf. United States v. Pogue, 865 F.2d 226, 230 (10th Cir. 1989).

Next, petitioner challenges the disparity in sentencing between himself and his co-defendants. Inasmuch as only the petitioner was charged with a CCE count, the disparity is easily explainable. cf. United States v. Trujillo, 906 F.2d 1456, 1465 (10th Cir.), cert. denied, 498 U.S. 962 (1990). Petitioner's argument is rejected.

Petitioner also states in conclusory fashion that the prosecutor, probation officer and petitioner's own attorney acted in collusion to "railroad" him into a guilty plea. The absence of factual support warrants denial.

It is the Order of the Court that the motion of the defendant pursuant to 28 U.S.C. §2255 is hereby denied.

IT IS SO ORDERED this 18th day of May, 1993.

A handwritten signature in cursive script, appearing to read "H. Dale Cook", is written over a horizontal line.

H. DALE COOK
UNITED STATES DISTRICT JUDGE

United States District Court

NORTHERN

District of OKLAHOMA

FILED

MAY 18 1993

UNITED STATES OF AMERICA

V.

DAVID KIRKLAND DEANOVICH

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 93-CR-006-001-E

William Patterson

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Information
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:371	Conspiracy to Commit Armed Bank Robbery	1-12-93	One

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Information, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 367-76-4529Defendant's Date of Birth: 5-1-59

Defendant's Mailing Address:

8447 S. College (Defendant in custody of
Tulsa, OK 74137 Bureau of Prisons)

Defendant's Residence Address:

Same

May 7, 1993

Date of Imposition of Sentence

X James O. Ellison
 Signature of Judicial Officer

James O. Ellison, Chief U.S. District Judge

Name & Title of Judicial Officer

5/18/93

Date

ENTERED ON DOCKET

DATE 5/19/93

MJ

by B. J. McLaughlin
 Deputy

Defendant: DEANOVICH, David
Case Number: 93-CR-006-001-E

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 49 months

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant be required to pay at least one-half of any money earned while in custody toward his fine, through the Inmate Financial Responsibility Program.

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.
_____ p.m. on _____

☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

☐ before 2 p.m. on _____

☐ as notified by the United States marshal.

☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DEANOVICH, David
Case Number: 93-CR-006-001-E

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
two (2) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☒ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.
- 1. The defendant shall participate in a drug testing and treatment program as directed by the U.S. Probation Office.
- 2. The defendant shall pay any remaining fine as directed by the U.S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to drug testing and treatment as directed by the U.S. Probation Officer.

Defendant: DEANOVICH, David
Case Number: 93-CR-006-001-E

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 3,500.00. The fine includes any costs of incarceration and/or supervision.

☒ This amount is the total of the fines imposed on individual counts, as follows:

Count One

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☒ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

Any remaining fine is to be paid as directed by the U.S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DEANOVICH, David
Case Number: 93-CR-006-001-E

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 22Criminal History Category: IIImprisonment Range: 46 to 57 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 7,500 to \$ 75,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ -0-

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

FILED

United States District Court

NORTHERN

District of

OKLAHOMA

MAY 18 1993

UNITED STATES OF AMERICA

V.

Gary Richard McMains

(Name of Defendant)

Richard M. Lawrence, Clerk
JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

Case Number: 93-CR-013-001-E

William Hughes (Appointed)

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) Two of the Indictment
☐ was found guilty on count(s) _____ after a
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:658	Disposing, Converting Property Mortgaged to the United States	10-26-91	Two

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☒ Count(s) One, Three, Four and Five of the Indictment (are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) Two of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 443-54-6241Defendant's Date of Birth: August 24, 1950

Defendant's Mailing Address:

East Star Route, H-C #62, Box 161Nowata, Oklahoma 74048

Defendant's Residence Address:

Same

May 7, 1993

Date of Imposition of Sentence

James O. Ellison
 Signature of Judicial Officer

James O. Ellison, Chief U. S. District Judge

Name & Title of Judicial Officer

5/18/93

Date

ENTERED ON DOCKET

DATE 5/19/93

Defendant: Gary Richard McMains
Case Number: 93-CR-013-001-E

Judgment—Page 2 of 4

PROBATION

The defendant is hereby placed on probation for a term of Five (5) Years.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

The defendant shall pay restitution in the amount of \$1,978.77 to the Farmers Home Administration, as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Gary Richard McMains
Case Number: 93-CR-013-001-E

Judgment—Page 3 of 4**RESTITUTION AND FORFEITURE****RESTITUTION**

☒ The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Farmers Home Administration	\$1,978.77

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:
to be determined by the United States Probation Officer.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: Gary Richard McMains
Case Number: 93-CR-013-001-E

Judgment—Page 4 of 4**STATEMENT OF REASONS**

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

The offense level is reduced from 10 to 8 because the loss was determined by the Court to be \$6,778.77 rather than \$28,789.47.

Guideline Range Determined by the Court:Total Offense Level: 8Criminal History Category: IImprisonment Range: 0 to 6 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 1,000 to \$ 10,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 1,978.77

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

United States District Court

NORTHERN

District of

OKLAHOMA

MAY 18 1993

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

Case Number: 93-CR-3-E

David Eugene Marshall
 (Name of Defendant)

John Echols
 Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Indictment
☐ was found guilty on count(s) _____ after a
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:3146(a)(1), and 3146(b)(1) (A)(iii) and (b)(2)	Failure to Appear	12-1-92	One

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
 and is discharged as to such count(s).
☒ ~~Count(s)~~ Docket No. 92-CR-68-E (is) ~~(are)~~ dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s)
One of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 565-73-3114Defendant's Date of Birth: 10-02-67

Defendant's Mailing Address:

6745 S. Lewis #210Tulsa, Oklahoma

Defendant's Residence Address:

May 11, 1993

Date of Imposition of Sentence

Signature of Judicial Officer

James O. Ellison, Chief U. S. District Judge

Name & Title of Judicial Officer

5/18/93

Date

ENTERED ON DOCKET

DATE 5/19/93 mas

Defendant: David Eugene Marshall
Case Number: 93-CR-3-E

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months on Count One of the Indictment. This sentence shall be imposed to run consecutive to 89-CR-019-001-B

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.

☐ at _____ p.m. on _____

☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

☐ before 2 p.m. on _____

☐ as notified by the United States marshal.

☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____

Deputy Marshal

Defendant: David Eugene Marshall
Case Number: 93-CR-3-E

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____

One Year on Count One of the Indictment

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☒ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

The defendant shall participate in a program of drug testing and treatment as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing as directed by the U.S. Probation Office.

Defendant: David Eugene Marshall
Case Number: 93-CR-3-E

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 500. The fine includes any costs of incarceration and/or supervision.

☒ This amount is the total of the fines imposed on individual counts, as follows:

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☒ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

If not paid immediately, payments to begin during his period of incarceration, with any balance remaining paid on supervised release as directed by the U. S. Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: David Eugene Marshall
Case Number: 93-CR-3-E

Judgment—Page 5 of 5

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 7

Criminal History Category: III

Imprisonment Range: 4 to 10 months

Supervised Release Range: to 1 years

Fine Range: \$ 500 to \$ 5,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ -0-

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

DATE 5/18/93

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process [see United States v. Gourley, 835 F.2d 249 (10th Cir. 1987), cert. denied, 986 U.S. 1010, 108 S. Ct. 1741 (1988); and United States v. Raymer, 941 F.2d 1031 (10th Cir. 1991)]; however, since defendant previously has entered a plea of guilty in State Court to conduct which was substantially the same as that stated in the Indictment, for purposes of this case only, the government takes the position that the Indictment should be dismissed in the interest of justice.

4. Counsel for the government contends defendant's Motion to Dismiss on the basis of violation of his speedy trial rights is rendered moot by way of the government's Motion to Dismiss. Therefore, the government is not confessing the defendant's Motion to Dismiss on the basis of a violation of his speedy trial rights.

5. Defendant filed his Motion to Dismiss pro se. The government has not personally contacted the defendant but will send him a copy of its Motion to Dismiss.

WHEREFORE, the plaintiff respectfully requests the Indictment be dismissed with prejudice against Joseph Robert Ware, defendant.

Respectfully submitted,

F. L. DUNN, III
United States Attorney

Lucy O. Creekmore

LUCY O. CREEKMORE, OBA #2010
Assistant United States Attorney
3900 U. S. Courthouse
333 West 4th Street
Tulsa, OK 74103
(918) 581-7463

Leave of Court is granted for the filing of the foregoing Motion to Dismiss and the Court hereby orders dismissal with prejudice of the Indictment against Joseph Robert Ware.

87 JAMES O. ELISON

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

for THOMAS R. BRETT

I hereby certify that on this 1st day of May, 1993, a true and correct copy of the foregoing document, with proper postage thereon fully prepaid, was mailed to:

Joseph Robert Ware, #189587
Box 260
Lexington, OK 73051

Lucy O. Creekmore

LOC:ljw

Entered on the Court's docket
this 1st day of May, 1993.
The Clerk of the Court
in the case of the United States
District Court.

Lucy O. Creekmore, Clerk

by B. M. Cunningham
Deputy

DATE 5/18/93**FILED**

MAY 14 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMAUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

ANGELA JUNE ROSS,)

Defendant)

Docket No. 90-CR-061-001-B

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 7th day of May, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of probation as set out in the Petition on Probation filed on March 17, 1993. The defendant is present in person and with her attorney, Assistant United States Public Defender Craig Bryant. The Government is represented by Assistant United States Attorney Gordon B. Cecil, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on June 5, 1990, convicted on her plea of guilty to Count One of a ten-count Indictment which charged Bank Fraud, in violation of 18 U.S.C. § 1344. She was subsequently sentenced on August 1, 1990, to a three year period of probation with conditions that she serve the first five months at the Salvation Army Community Treatment Center, pay \$5,802.90 in restitution, and participate in drug treatment and a mental health program as directed by the U.S. Probation Office. The standard

conditions of probation recommended by the Sentencing Commission were also imposed.

On April 8, 1993, a revocation hearing was held regarding the allegations noted in the Petition on Probation and Supervised Release, said allegations being that the defendant has failed to make restitution at the rate determined by the United States Probation Office; that she has made false reports to the United States Probation Office regarding payment of restitution; that she has engaged in the possession and use of narcotics and other controlled substances on nine (9) occasions; and that she failed to report for urinalysis on not less than seven (7) occasions. Ross stipulated to all violations at the hearing, and a sentencing hearing was set for May 7, 1993.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with § 7B1.1(a)(3), and that the defendant's original Criminal History Category of I is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a Criminal History Category of I establish a revocation imprisonment range of 3-9 months, in accordance with § 7B1.4(a) and 18 U.S.C. § 3565(a). In consideration of these findings and pursuant to U.S. V. Lee, 957 F.2d 770 (Tenth circuit, 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

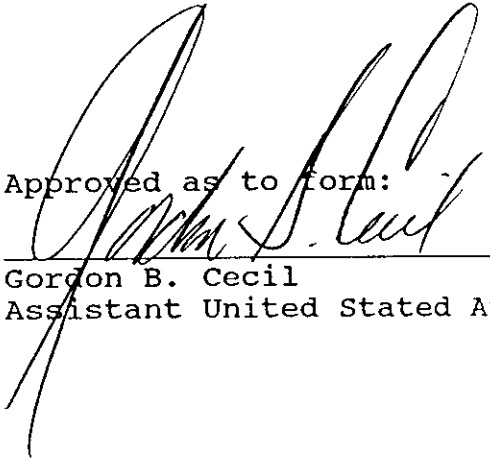
It is adjudged by the Court that the defendant shall be sentenced to serve eight (8) months in the custody of the Bureau of Prisons.

The defendant is remanded to the custody of the United States Marshal.

S/ THOMAS R. BRETT

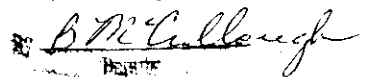
Thomas R. Brett
United States District Judge

Approved as to form:



Gordon B. Cecil
Assistant United States Attorney

United States District Court)
District of Columbia)
In and for the)
County of)
State of)
Dated:)
at)


B. M. Callough
Deputy

ENTERED ON DOCKET
DATE 5/18/93

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HENRY EUGENE BOYLES, JR.,)
)
Defendant.)

93-CR-67-C
No. 93-CR-57-6

FILED

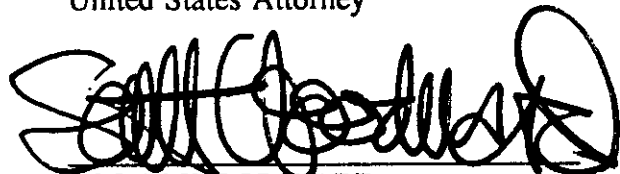
MAY 17 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment filed May 6, 1993, against Henry Eugene Boyles, Jr., defendant.

F.L. DUNN, III
United States Attorney



SCOTT WOODWARD
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Indictment.

(Signed) H. Dale Cook
H. DALE COOK
United States District Judge

Date: 5/17/93

SW:ssg

RECEIVED
MAY 18 1993
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Richard M. Lawrence, Clerk

By PM McLaughlin
Deputy Clerk

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

JERALDINE HARRIS

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 92-CR-116-001 -E

Randal Morley

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) Two of the Indictment
☐ was found guilty on count(s) _____ after a
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
42:408(c)	Fraudulently Receiving Social Security Benefits	9-1-89	Two

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☒ Count(s) One, three & four of the Indictment (s) (are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) Two of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 440-32-9319Defendant's Date of Birth: 6-3-34

Defendant's Mailing Address:

2618 Pine Park
Orange, Texas 77632

Defendant's Residence Address:

Same

United States District Court)
 Northern District of Oklahoma)
 I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Jack C. Silver, Clerk

By

Deputy

May 7, 1993

Date of Imposition of Sentence

X James O. Ellison
 Signature of Judicial Officer

The Honorable James O. Ellison

Chief U.S. District Judge

Name & Title of Judicial Officer

5/13/93

Date

ENTERED ON DOCKET

DATE 5/18/93

Defendant: Jeraldine Harris
Case Number: 92-CR-116-001

Judgment—Page 2 of 4

PROBATION

The defendant is hereby placed on probation for a term of three years.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

1. The defendant shall serve the first ten months of supervision on home confinement with electronic monitoring at the discretion of the U.S. Probation Office
2. The defendant shall pay restitution as noted on Page 3.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to random urinalysis as directed by the U.S. Probation Office.

Defendant: Jeraldine Harris
Case Number: 92-CR-116-001

Judgment—Page 3 of 4

RESTITUTION AND FORFEITURE

RESTITUTION

☒ The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Social Security Administration Department of Health and Human Services Attention: Collections Post Office Box 21558 Tulsa, OK 74121	\$1,800.00

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☒ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:
As directed by the U.S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: **Jeraldine Harris**
Case Number: **92-CR-116-001**

Judgment—Page 4 of 4

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 12

Criminal History Category: I

Imprisonment Range: 10 to 16 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 3,000 to \$ 30,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 110,577

☒ Full restitution is not ordered for the following reason(s):

Defendant does not have the ability to make complete restitution

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☒ for the following reason(s):

Defendant's health problems combine to make confinement not in the best interests of the government or the defendant. Therefore, home confinement will be substituted for custody.

ENTERED ON DO.

DATE 5/18/93

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 14 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

ANGELA JUNE ROSS,)

Defendant.)

No. 90-CR-61-B

ORDER NUNC PRO TUNC REVOKING TERM OF PROBATION

On April 8, 1993, this Court entered an Order Revoking Term of Supervised Release, filed in this cause April 13, 1993. Since the entry and filing of the prior order, it has been brought to the Court's attention that defendant, Angela June Ross, was serving a term of probation, instead of a term of supervised release. Accordingly, this Court's order entered April 8, 1993, and filed April 13, 1993, in this cause should be and the same is hereby amended as follows:

Now on this 8th day of April 1993, this cause comes on for hearing on the Petition on Probation and Supervised Release filed herein March 17, 1993, by United States Probation Officer Tony Budzinski, seeking to revoke the term of probation imposed by this Court August 1, 1990, upon the defendant Angela June Ross.

Defendant is present in person and by her counsel, Assistant United States Public Defender Craig Bryant, and the plaintiff is represented by Assistant United States Attorney Gordon B. Cecil.

By Jack C. Silver, Clerk
Deputy

Defendant was sentenced August 1, 1990, to a three year term of probation subject to compliance with general and specific terms and conditions adopted by the Court, including the conditions that defendant pay restitution in the amount of \$5,802.90 to victims at a rate to be determined by the United States Probation Office; appear for interviews and report for drug testing as directed by the United States Probation Office; submit truthful and complete written reports to the United States Probation Office; and avoid the purchase and possession of any narcotic or other controlled substance.

The Court finds, pursuant to a stipulation by the parties, that defendant:

- a) has failed to make restitution at the rate determined by the United States Probation Office;
- b) has made false reports to the United States Probation Office regarding payment of restitution;
- c) has engaged in the possession and use of narcotics and other controlled substances on nine (9) occasions; and
- d) has failed to report for urinalysis or to the United States Probation Office on not less than seven (7) occasions.

For the violations appearing in evidence at this hearing, and consideration of the factors set forth in Title 18, United States Code, Section 3553(a), the Court finds that the term of defendant's probation should be revoked, pursuant to Title 18, United States Code, Section 3565(a)(2).

IT IS THEREFORE ORDERED that the three year term of probation imposed by this Court upon the defendant August 1, 1990, should be and the same is hereby revoked. It is further ordered that the United States Probation Office prepare and submit to this Court a sentencing memorandum prior to May 7, 1993. Sentencing in this cause is set at 3:30 p.m. on May 7, 1993.

Pending preparation of a sentencing memorandum, the defendant shall be detained by the United States Marshal Service until further order of this Court.

IT IS FURTHER ORDERED that the Clerk of this Court deliver a certified copy of this order to the United States Marshal for this district to serve as his authority to detain the defendant, Angela June Ross.

S/ THOMAS R. BRETT

THOMAS R. BRETT
United States District Judge

United States District Court

NORTHERN

District of

OKLAHOMA

2nd Resentencing on Remand from 10th Circuit

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

V.

Russell Kevin Voss

Case Number: 89-CR-087-001-E

(Name of Defendant)

Rob Nigh

Defendant's Attorney

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____.
- ☒ was found guilty on count(s) One of the Indictment after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:846 841(d)(1)	Conspiracy to Possess Listed Chemicals With Intent To Manufacture Methamphetamine	06-30-89	One

FILED

MAY 17 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☒ The defendant has been found not guilty on count(s) Two and Three of the Indictment, and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 549-37-1461Defendant's Date of Birth: 12-30-58

Defendant's Mailing Address:

FCI La TunaP. O. Box 1000 Highway 20Anthony, TX 88021

Defendant's Residence Address:

5453 24th StreetRiverside, CA 92509

United States District Court)
Northern District of Oklahoma) ss
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By

Deputy

May 7, 1993

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer
The Honorable James O. Ellison
Chief U. S. District Judge

Name & Title of Judicial Officer

5/17/93

Date

ENTERED ON DOCKET

DATE 5/17/93 18j

Defendant: Russell Kevin Voss
Case Number: 89-CR-087-001-E

Judgment—Page 2 of 4

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Sixty-eight months

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☒ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.
☐ _____ p.m. on _____
☐ as notified by the United States marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____

Deputy Marshal

Defendant: Russell Kevin Voss
Case Number: 89-CR-087-001-E

Judgment—Page 3 of 4**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of Three Years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Russell Kevin Voss
Case Number: 89-CR-087-001-E

Judgment—Page 4 of 4

STATEMENT OF REASONS

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

No findings were entered as to the guidelines in this case as it was determined by the 10th Circuit Court of Appeals that there was no sufficiently analagous guideline for this offense. The defendant was sentenced according to the requirements of 18:3553.

Guideline Range Determined by the Court:

Total Offense Level: _____

Criminal History Category: _____

Imprisonment Range: _____ to _____ months

Supervised Release Range: _____ to _____ years

Fine Range: \$ _____ to \$ _____

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

☐ Full restitution is not ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

DATE 5-11-93

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD LUTKE PARKER,

Defendant.

No. 92-CR-131-E

FILED

MAY 11 1993

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ORDER

Now on this 11 day of May, 1993 this cause comes on to be heard in the matter of the plaintiff's motion to dismiss, without prejudice, Count Two the Indictment in the above styled cause. The Court finds that said motion ought to be granted and the Indictment is dismissed without prejudice.

IT IS SO ORDERED.

s/ JAMES O. ELLISON

JAMES O. ELLISON, Chief
United States District Judge

United States District Court) ss
Northern District of Oklahoma)
Courtroom 100, 10th Floor)
Federal Building)
Oklahoma City, Oklahoma)
Date: 5/11/93)

Josh C. Silver, Clerk

By *BMcL...*
Clerk

ENTERED ON DOCKET

DATE 5-10-93

United States District Court

NORTHERN

District of

OKLAHOMA

A M E N D E D

UNITED STATES OF AMERICA

V.

Melvin Leon Reynolds

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 91-CR-050-003-C

Martin Hart

Defendant's Attorney

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
- ☒ was found guilty on count(s) Two of the Indictment after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:846, 841(a)(1), and 841(b)(1)(B) (viii)	Conspiracy to Manufacture, Possess and Distribute Methamphetamine	August 1989	Two

F I L E D

MAY 10 1993

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMAThe defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50 (if not previously paid) for count(s) Two of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 445-44-7486Defendant's Date of Birth: March 15, 1946

Defendant's Mailing Address:

Bureau of Prisons,
Fort Worth FCI, Fort Worth, TX

Defendant's Residence Address:

Same

April 28, 1993

Date of Imposition of Sentence

Signature of Judicial Officer

H. Dale Cook, U. S. District Judge

Name & Title of Judicial Officer

United States District Court
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Date

Richard M. Lawrence, Clerk

By


Deputy

Arvin Leon Reynolds
91-CR - 050-003-C

Judgment—Page 2 of 4**IMPRISONMENT**

defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for
of 65 months, with credit granted for time previously served.

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☒ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,
 ☐ at _____ a.m.
 ☐ at _____ p.m. on _____.
 ☐ as notified by the United States marshal.
☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons.
 ☐ before 2 p.m. on _____.
 ☐ as notified by the United States marshal.
 ☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this judgment.

United States MarshalBy _____
Deputy Marshal

Defendant: Melvin Leon Reynolds
Case Number: 91-CR-050-003-0C

Judgment—Page 3 of 4**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
5 years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing at the direction of the U. S. Probation Office.

Defendant: **Melvin Leon Reynolds**
Case Number: **91-cR-050-003-C**

Judgment—Page 4 of 4**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 26Criminal History Category: IImprisonment Range: 63 to 78 monthsSupervised Release Range: 4 to 5 yearsFine Range: \$ 12,500 to \$ 2,000,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

MAY 4 1993

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COURT OF OKLAHOMA

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

RODNEY ARMSTRONG)

Defendant.)

Docket No. 89 CR 053-001-B

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF SUPERVISED RELEASE

Now on this 23rd day of April, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on November 2, 1992. The defendant is present in person and with his attorney, Richard Amatucci. The Government is represented by Assistant United States Attorney James L. Swartz, and the United States Probation Office is represented by Garold A. Shidell.

The defendant was heretofore convicted on his plea of guilty to Counts One and Two of a four-count Indictment which charged False Statement to Purchase a Firearm and Receiving Firearms Unlawfully, in violation of 18, United States Code, §§ 922(a)(6) and 922(n), respectively. He was subsequently sentenced on January 23, 1990, to a four (4) month custody term with three (3) years supervised release. The standard conditions of supervised release recommended by the Sentencing Commission were also imposed, as was a special condition requiring participation in a program approved by the probation office of urinalysis and treatment of narcotic addiction or drug dependency.

On April 1, 1993, a revocation hearing was held regarding the allegations noted in the Petition on Supervised Release, said allegations being that the defendant submitted urine specimens on May 11, 1992, September 13, 1992, October 5, 1992, and October 25, 1992, which tested positive for cocaine. Additionally, on October 17, 1992, and on November 28, 1992, the defendant had been ordered by officials of the Freedom House to report to that institution for submission of additional urinalysis testing, and that he failed to report. Armstrong stipulated to all violations at the revocation hearing, and a sentencing hearing was set for April 23, 1993.

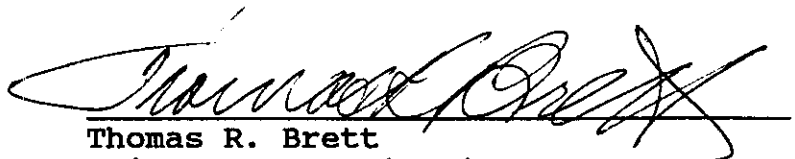
As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade C violations in accordance with U.S.S.G. § 7B1.1(a)(3)(B), and that the defendant's original Criminal History Category of I is now applicable for determining the imprisonment range. The Court finds that the defendant did not possess controlled substances as defined in 18 U.S.C. § 3583(g). In addition, the Court finds that a Grade C violation and a Criminal History Category of I establish a revocation imprisonment range of 3-9 months, in accordance with U.S.S.G. § 7B1.4(a) and Title 18, United States Code, Section 3583(e). In consideration of these findings and pursuant to U. S. V. Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following is ordered:

Sentencing in this matter is deferred until August 20, 1993. The terms and conditions of supervised release shall be modified and the defendant is ordered placed at Freedom House for a term of 120 days with no leave or passes. Both standard and special conditions of supervised release as previously imposed shall remain, and in addition, the defendant shall participate in and successfully complete the substance abuse program provided by Freedom House. Further, the defendant is advised that any further violations of supervised release, to include evidence of controlled substance use, will result in immediate revocation.

It is further adjudged that in accordance with the evidentiary hearing of May 4, 1993, that since the defendant absconded from supervision and made himself unavailable for supervision and appearance before this court for said violations from November 6, 1992, until his arrest on March 4, 1993, that his term of supervised release be tolled for said period totalling 118 days, for an expiration date for the term of supervised release of September 18, 1993.

The defendant is remanded to the custody of the United States Marshal until such time that the U. S. Probation Office can arrange his placement and transportation to Freedom House.

5-4-93


Thomas R. Brett
United States District Judge

DATE MAY 5 1993**FILED**

MAY 5 1993

United States District CourtNORTHERNDistrict of OKLAHOMARichard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

ALAN HUDGINS

CORRECTED (Spelling Defendant's Name)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 92-CR-155-001-C

(Name of Defendant)

Stephen B. Riley
Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Information
☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:1014	False Statements on Loan Documents	12-91	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Amended Information, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 444-72-6474Defendant's Date of Birth: 11-1-60

Defendant's Mailing Address:

Rt 4, Box 545Bristow, OK 74010

Defendant's Residence Address:

Same

4-26-93

Date of Imposition of Sentence

Signature of Judicial Officer

The Honorable H. Dale Cook
U.S. District Judge
Name & Title of Judicial OfficerUnited States District Court) ss
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true and correct copy of the original on file
in this court.By [Signature]
Deputy

Date

10

9W

Defendant: Alan Hudgins
Case Number: 92-CR-155-001-C

Judgment—Page 2 of 4**PROBATION**

The defendant is hereby placed on probation for a term of five years.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

As a condition of probation, the subject shall serve a period of six months on home detention to include electronic monitoring at the discretion of the U.S. Probation Office. Electronic monitoring shall commence within 72 hours of this imposition of sentence and the defendant shall pay \$2 per day to help defer the costs of electronic monitoring.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to random urinalysis at the discretion of the U.S. Probation Office.

Defendant: Alan Hudgins
Case Number: 92-CR-155-001-C

Judgment—Page 3 of 4**RESTITUTION AND FORFEITURE****RESTITUTION**

☒ The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American National Bank 111 West 7th Street Bristow, Oklahoma 74010	\$72,000

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☒ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:

Any money not paid immediately shall be paid during the term of probation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: Alan Hudgins
Case Number: 92-CR-155-001-C

Judgment—Page 4 of 4

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 10

Criminal History Category: I

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 1,000,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

ENTERED ON DOCKET

DATE MAY 5 1993

FILED

MAY 6 1993

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
Plaintiff)

vs.)

Docket No. 92-CR-035-002-C

DENISE SHREVE,)
Defendant)

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 26th day of April, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of probation as set out in the Petition on Probation filed on March 22, 1993. The defendant is present in person and with her attorney, Ed Morrison. The Government is represented by Assistant United States Attorney James Swartz, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on June 3, 1992, convicted on her plea of guilty to Count One of a two-count Indictment which charged Conspiracy to Distribute Controlled Substance, in violation of Title 21, United States Code, § 846. She was subsequently sentenced on July 28, 1992, to a three

United States District Court) ss
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.
Richard M. Lawrence, Clerk
By [Signature]
Deputy

year period of probation with conditions that she serve the first two months under home detention to include electronic monitoring and submit to random urinalysis and drug treatment as directed by the U.S. Probation Office. The standard conditions of probation recommended by the Sentencing Commission were also imposed.

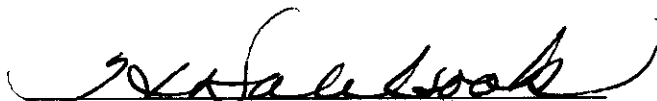
On April 7, 1993, a revocation hearing was held regarding the allegations noted in the Petition on Probation, said allegations being that the defendant submitted urine specimens on September 9 and September 18, 1992, which tested positive for cocaine; that, after conditions were modified to terminate electronic monitoring and begin drug treatment, she was terminated from the Freedom House in-patient drug treatment program due to her involvement in a serious incident; that, after conditions were again modified to include drug treatment at the Salvation Army Community Corrections Center, she was terminated from that program also due to failure to comply with conditions of the program. Shreve stipulated to all violations at the hearing, and a sentencing hearing was set for April 26, 1993.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with

§ 7B1.1(a)(3), and that the defendant's original Criminal History Category of I is now applicable for determining the imprisonment range. In addition, the court finds that a Grade C violation and a Criminal History Category of I establish a revocation imprisonment range of 3-9 months, in accordance with § 7B1.4(a) and Title 18, United States Code, § 3565(a). In consideration of these findings and pursuant to U.S. V. Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve six (6) months in the custody of the Bureau of Prisons.

The defendant is remanded to the custody of the United States Marshal.


H. Dale Cook
United States District Judge

Approved as to form:


James Swartz
Assistant United States Attorney

FILED

ENTERED ON DOCKET **United States District Court**
 DATE MAY - 4 1993 NORTHERN District of OKLAHOMA

MAY 3 1993

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA
 V.

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

Case Number: 92-CR-097-001-B

DAVID LEE BAILEY

(Name of Defendant)

Rabon Martin

Defendant's Attorney

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
☒ was found guilty on count(s) One (1) of the Indictment after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
12:1709.2	Equity Skimming	July, 1990	One (1)

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One (1) of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 448-48-0491Defendant's Date of Birth: 10-04-49

Defendant's Mailing Address:

3328 So. Santa FeTulsa, Oklahoma 74107

Defendant's Residence Address:

Same as above

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

By Richard M. Lawrence, Clerk
 Deputy

April 23, 1993

Date of Imposition of Sentence

Thomas R. Brett
 Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name & Title of Judicial Officer

5-3-93

Date

m5

Defendant: BAILEY, David Lee
Case Number: 92-CR-097-001-B

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Eighteen (18) months

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant be required to pay at least one half of any money earned during incarceration towards restitution through the Inmate Financial Responsibility Program.

- ☐ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district.

☐ at _____ a.m.
_____ p.m. on _____
☐ as notified by the United States marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

☒ The defendant shall remain free on the current bond pending determination of his appeal, and upon notification that the judgment is affirmed, shall immediately report to the U.S. Probation Office for designation by the Bureau of Prisons of an appropriate institution.

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: BAILEY, David Lee
Case Number: 92-CR-097-001-B

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____

Three (3) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.
- 1) The defendant shall provide the U.S. Probation Officer with access to any requested financial information.
- 2) The defendant shall pay any remaining restitution as directed by the U. S. Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U.S. Probation Office.

Defendant: BAILEY, David Lee
Case Number: 92-CR-097-001-B

Judgment—Page 4 of 5**RESTITUTION AND FORFEITURE****RESTITUTION**

☒ The defendant shall make restitution to the following persons in the following amounts:

Name of Payee**Amount of Restitution**

Dept. of Housing & Urban Development
Attn.: Jerry Hyden
1516 So. Boston Suite 100
Tulsa, Oklahoma 74119

\$5,000

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☒ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:

Any remaining restitution is to be paid as directed by the
U. S. Probation Officer.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: BAILEY, David Lee
Case Number: 92-CR-097-001-B

Judgment—Page 5 of 5

STATEMENT OF REASONS

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

1) Court finds that 20 houses, not 21, are includable under relevant conduct.

2) Court finds that loss is overstated, and should be instead \$163,475.

Guideline Range Determined by the Court:

Total Offense Level: 15

Criminal History Category: I

Imprisonment Range: 18 to 24 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 4,000 to \$ 40,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 163,475.

☒ Full restitution is not ordered for the following reason(s):

Inability of the defendant to pay the full amount.

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

FILED

MAY 4 1993

United States District Court

NORTHERN

District of

OKLAHOMA

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

TOM STANLEY PALUCH

Case Number: 93-CR-023-001-E

(Name of Defendant)

David Booth

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One (I) and Two (II) of the Indictment after a
☐ was found guilty on count(s) _____ plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a), (d)	Armed Bank Robbery	01-12-93	One (I)
18:924(c)	Use Of Firearm In Commission Of A Felony	01-12-93	Two (II)
18:2	Aiding And Abetting	01-12-93	One and Two

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One and Two of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 374-68-4942Defendant's Date of Birth: 03-09-58

Defendant's Mailing Address:

Tulsa County Jail
Tulsa, Oklahoma 74103

Defendant's Residence Address: United States District Court
Eastern District of Oklahoma
1000 North Lincoln Street, Suite 100
Tulsa, Oklahoma 74103
Same as above

April 23, 1993

Date of Imposition of Sentence

James O. Ellison
 Signature of Judicial Officer

James O. Ellison, Chief U.S. District Judge

Name & Title of Judicial Officer

May 3, 1993

Date
ENTERED ON DOCKETDATE 5/4/93

MS

Jack E. Silver, Clerk

By *JM Sullivan*
 City

Defendant: PALUCH, Tom Stanley
Case Number: 93-CR-023-001-E

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of _____.

Count I: Seventy (70) months

Count II: Five (5) years, to run consecutively to Count One.

☒ The court makes the following recommendations to the Bureau of Prisons:

- 1) That the defendant ~~receive~~ the best drug treatment program available through the Bureau of Prisons.
- 2) That the defendant be placed in an institution close to Detroit, Michigan.
- 3) That the defendant be required to pay at least half of any money earned while in custody toward his fine through the Inmate Financial Responsibility Program.

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.

☐ at _____ p.m. on _____

☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

☐ before 2 p.m. on _____

☐ as notified by the United States marshal.

☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: PALUCH, Tom Stanley
Case Number: 93-CR-023-001-E

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____

Three (3) years as to each count, both counts to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☒ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

- 1) The defendant will participate in a drug monitoring and treatment program as directed by the U. S. Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U. S. Probation Officer.

Defendant: PALUCH, Tom Stanley
Case Number: 93-CR-023-001-E

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 4,000. The fine includes any costs of incarceration and/or supervision.

☒ This amount is the total of the fines imposed on individual counts, as follows:

Count One (I)

☒ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☒ The interest requirement is waived.
☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☐ in full immediately.
☐ in full not later than _____.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☒ in installments according to the following schedule of payments:

Any remaining fine is to be paid as directed by the
U. S. Probation Officer.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: **PALUCH, TOM Stanley**
Case Number: **93-CR-023-001-E**

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 19Criminal History Category: VIImprisonment Range: 63 to 78 monthsSupervised Release Range: 3 to 5 yearsFine Range: \$ 6,000 to \$ 60,000

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 0

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

PROB 12
(Rev. 3/88)

ENTERED ON DOCKET
DATE MAY 03 1993

United States District Court
for

FILED

APR 30 1993

DISTRICT OF NORTHERN OKLAHOMA
Richard M. Lawrence, Court Clerk:
U.S. DISTRICT COURT

U. S. A. vs. Mark Erwin Kester

92-CR-16-01-B
Docket No. 92-CR-125-B

Petition on Probation and Supervised Release

COMES NOW Kevin Robbins PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Mark Erwin Kester who was placed on supervision by the Honorable Thomas R. Brett sitting in the court at Tulsa, Oklahoma, on the 19th day of May, 1992 who fixed the period of supervision at three (3) years, following thirteen (13) months imprisonment, and imposed the general terms and conditions theretofore adopted by the court and also imposed special conditions and terms as follows:

That the defendant participate in a substance abuse program approved by the U. S. Probation Office, including urinalysis if deemed necessary.

That the defendant participate in a mental health program approved by the U. S. Probation Office, if deemed necessary.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

See attachment - hereto and herein incorporated by reference.

PRAYING THAT THE COURT WILL ORDER the issuance of a warrant for the defendant to appear in Court and show cause why his supervised release should not be revoked.

ORDER OF COURT

Considered and ordered this 30th
day of April, 1993 and
ordered filed and made a part of the records in
the above case.

James D. Brown
U. S. District Judge

Respectfully,

Kevin Robbins
Probation Officer

Place Tulsa, Oklahoma

Date April 27, 1993

for
U. S. District Judge Thomas R. Brett

ATTACHMENT

Kester has committed the following violations of supervised release:

1. VIOLATION OF CONDITION #7: "The defendant shall refrain for excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician."

Kester provided specimens on March 17, March 25, April 12, April 13, April 15, April 16, and April 19, 1993, which tested positive for hydromorphone. Kester provided a specimen on March 5, 1993, which tested positive for hydromorphone and morphine, and he provided specimens on April 1 and April 5, 1993, which tested positive for hydromorphone and cocaine.

THIS ALLEGATION IS SUPPORTED BY THE FOLLOWING FACTS:

Attached hereto and incorporated herein as Exhibit A is Probation Form 7A, "Conditions of Probation and Supervised Release," signed by Kester and witnessed by this officer on February 11, 1993.

Attached hereto and incorporated herein as Exhibit B is a PharmChem chain of custody form and laboratory report for the specimen submitted March 5, 1993, revealing a positive test for hydromorphone and morphine.

Attached hereto and incorporated herein as Exhibit C is a PharmChem chain of custody form and laboratory report for a specimen submitted March 17, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit D is a PharmChem chain of custody form and laboratory report for the specimen submitted March 25, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit E is a PharmChem chain of custody form and laboratory report for the specimen submitted April 1, 1993, revealing positive tests for cocaine and hydromorphone.

Attached hereto and incorporated herein as Exhibit F is a PharmChem chain of custody form and laboratory report for the specimen submitted April 5, 1993, revealing positive tests for cocaine and hydromorphone.

Attached hereto and incorporated herein as Exhibit G is a PharmChem chain of custody form and laboratory report for the specimen submitted April 12, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit H is a PharmChem chain of custody form and laboratory report for the specimen submitted April 13, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit I is a PharmChem chain of custody form and laboratory report for the specimen submitted April 15, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit J is a PharmChem chain of custody form and laboratory report for the specimen submitted April 16, 1993, revealing a positive test for hydromorphone.

Attached hereto and incorporated herein as Exhibit K is a PharmChem chain of custody form and laboratory report for the specimen submitted April 19, 1993, revealing a positive test for hydromorphone.

2. VIOLATION OF SPECIAL CONDITION NO. 1: "That the defendant participate in a substance abuse program approved by the U. S. Probation Office, including urinalysis if deemed necessary."

Kester was admitted to Freedom House on April 1, 1993, but was dismissed from the program on April 22, 1993. The decision for dismissal was based upon April 5 and April 15, 1993, incidents of Kester leaving Freedom House grounds without approval and a urine specimen submitted April 5, 1993, which tested positive for cocaine and hydromorphone, as supported in Exhibit F.

THIS ALLEGATION IS SUPPORTED BY THE FOLLOWING FACTS:

Attached hereto and incorporated herein as Exhibit L is a letter from Freedom House Case Counselor John Nord which describes Kester's dismissal from Freedom House based on two instances of leaving Freedom House grounds without approval and an April 5, 1993, urine specimen which tested positive for cocaine and hydromorphone.

Conditions of Probation and Supervised Release

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF OKLAHOMA



Name Mark Kester
5649 S. Garnett
Address Tulsa, Oklahoma 74146

Docket No. 92-CR-016-001-B

Under the terms of your sentence, you have been placed on ~~probation~~/supervised release (strike one) by the Honorable Thomas R. Brett, United States District Judge for the District of Northern Oklahoma. Your term of supervision is for a period of three (3) years, commencing upon release from confinement.

While on ~~probation~~/supervised release (strike one), you shall not commit another Federal, state, or local crime and shall not illegally possess a controlled substance. Revocation of probation and supervised release is mandatory for possession of a controlled substance.

CHECK IF APPROPRIATE:

- ☐ As a condition of supervision, you are instructed to pay a fine in the amount of _____; it shall be paid in the following manner _____.
- ☐ As a condition of supervision, you are instructed to pay restitution in the amount of _____ to _____; it shall be paid in the following manner _____.
- ☒ The defendant shall not possess a firearm or destructive device. Probation must be revoked for possession of a firearm.
- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

It is the order of the Court that you shall comply with the following standard conditions:

- (1) You shall not leave the judicial district without permission of the court or probation officer;
- (2) You shall report to the probation officer as directed by the court or probation officer, and shall submit a truthful and complete written report within the first five days of each month;
- (3) You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;

PHARMCHEM LABORATORIES, I.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

PLAINTIFF'S
EXHIBIT

3

ACCOUNT NUMBER:

100640102 BARCODE NUMBER:

0007425110

RESULTS TO:

ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

03/05/93

ACCESSION NUMBER:
DATE RECEIVED:
DATE REPORTED:

930031148

03/12/93

03/17/93

Old Acct. No: FP 648

TEST RESULTS			
Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoylcegonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	POSITIVE	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
Cannabinoid 100		Promethazine	negative
THC Metabolite	negative		

SPECIMEN SEAL INTACT.

COMMENTS:

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: STEPHEN HOLTZCLAW

Date: 03/17/93

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007425110

UP
SK

Bob Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

THE
TLC

Reason For Test (Check One)

☐ 01 Preemployment ☐ 02 Random ☐ 03 Accident ☐ 04 Medical ☐ 05 Cause ☐ 06 Other Specify: _____

Specimen Type

☐ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☐ No

(This information will appear only on plies 1,3)

Mark Foster
(This information will appear on all copies.)

Date Collected

3-5-93

Social Security #

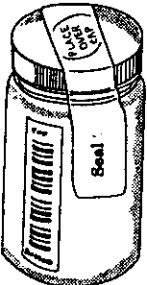
Remarks Concerning Collection

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions

Collector's Signature

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. I also consent to the analysis of the specimen accompanying this form for all substances and to the release of the results of the analysis as well as the information recorded on this form to the organization and to the laboratory of the treatment and analysis.



007425110

S

Apply ►
Barcode
vertically
on bottle

SECOND SEAL AND
CODE FOR BLOOD
'LIT SAMPLE.

COLLECTOR'S SIGNATURE

(PLACE
OVER CAP
OF
SPECIMEN)

SPECIMEN NO. 007425110

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

Complete all unshaded areas of form.

Affix tamperproof seal and barcode as illustrated.

Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.

Place specimen and laboratory copy of Chain of Custody form in shipping container.

Keep specimen in secure storage until shipped.

Distribute copies of Chain of Custody form as indicated on each copy.

SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES, I.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007425304

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

03/17/93

K.R./SK

Old Acct. No: FP 648

ACCESSION NUMBER:
DATE RECEIVED:
DATE REPORTED:

930075273
03/22/93
03/29/93

TEST RESULTS			
Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	POSITIVE	Oxycodone	negative
Methamphetamine	POSITIVE	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoyllecgonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
Cannabinoid 100		Promethazine	negative
THC Metabolite	negative		

PENCLAP-Bayonne, N. J.

PLAINTIFF'S
EXHIBIT
C

Mark Kester

SPECIMEN SEAL INTACT.

COMMENTS:

No Meads Shown on COC

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: LING LIU

Date: 03/29/93

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007425304

Bob Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

T#C
TLC

Reason For Test (Check One)

- ☐ 01 Preemployment ☐ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

- ☐ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

- ☐ Yes ☐ No

(This information will appear only on plies 1,3.)

Mark Koster

(This information will appear on all copies.)

Date Collected

3-17-93

Social Security #

Remarks Concerning Collection

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions

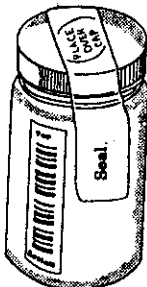
Collector's Signature

B. Colwell

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on the form.

Donor's Signature or Initials

[Signature]



Apply
barcode
artically
1 bottle



SECOND SEAL AND
CODE FOR BLOOD
LIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO. 007425304

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping	Airbill #	Date Shipped	Ship Specimen To	PharmChem Laboratories, Inc. 1505-A O'Brien Drive Menlo Park, CA 94025-1435
-----------------	-----------	--------------	------------------	---

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.
- Keep specimen in secure storage until shipped.
- Distribute copies of Chain of Custody form as indicated on each copy.
- SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES, IN
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT

PLAINTIFF'S
EXHIBIT
D

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007425412

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

03/25/93

KR/SK

Old Acct. No: FP 64B

ACCESSION NUMBER: 930112413
DATE RECEIVED: 03/29/93
DATE REPORTED: 04/02/93

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml

Mark
Kester

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoylcegonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
		Promethazine	negative

SPECIMEN SEAL INTACT.

COMMENTS:

no meds/
reported

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: STEPHEN HOLTZCLAW

Date: 04/02/93



LABORATORIES, INC.

505-A Q'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007425412

J Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☒ No

(This information will appear only on plies 1,3.)

Mark Kester

(This information will appear on all copies.)

Date Collected

3-25-93

Social Security #

Remarks Concerning Collection

NO meds reported ms

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification now, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.

Collector's Signature

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual named on this form.

Donor's Signature or Initials



Apply ►
Barcode
vertically
on bottle



SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO. 007425412

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To ►

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.
- Keep specimen in secure storage until shipped.
- Distribute copies of Chain of Custody form as indicated on each copy.

SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES,
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

ACCOUNT NUMBER:

100640101

BARCODE NUMBER:

0007443329

RESULTS TO:

ATT: Rod Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/01/93

KR/SK

ACCESSION NUMBER:

930143274

DATE RECEIVED:

04/05/93

DATE REPORTED:

04/12/93

Old Acct No: FP 64A

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Phenytoin*	
Amphetamine	negative	Phenytoin	negative
Methamphetamine	negative	Glutethimide	
Barbiturates		Glutethimide	negative
Amobarbital	negative	LAAM	
Butabarbital	negative	LAAM	negative
Butalbital	negative	Meperidine	
Pentobarbital	negative	Meperidine	negative
Phenobarbital	negative	Pentazocine	
Secobarbital	negative	Pentazocine	negative
Benzodiazepines		Phenmetrazine	
ACB	negative	Phenmetrazine	negative
MACB	negative	Propoxyphene*	
Cocaine Metabolite		Propoxyphene	negative
Benzoyllecgonine	POSITIVE	Tricyclics*	
Methadone		Amitriptyline	negative
Methadone	negative	Doxepin	negative
Opiates		Imipramine	negative
Codeine	negative	Phenothiazines	
Hydromorphone	POSITIVE	Chlorpromazine	negative
Morphine	negative	Hydroxyzine	negative
Phencyclidine		Promethazine	negative
Phencyclidine	negative	Cannabinoid 100	
Oxycodone		THC Metabolite	negative
Oxycodone	negative		



SPECIMEN SEAL INTACT.

COMMENTS:

No Meds Shown

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: CHRISTIN CONNOLLY

Date: 04/12/93

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007443329

Baker CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Account No. 100640101

JHC
Special TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Accident ☐ 04 Medical ☐ 05 Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☐ No

(This information will appear only on plies 1,3.)

(This information will appear on all copies.)

Remarks Concerning Collection

Date Collected 4-1-93

Social Security #

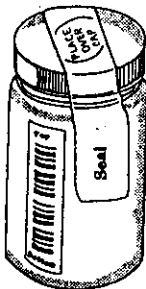
Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification now, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions.

Collector's Signature

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis, as well as the information recorded on this form to the organization and/or individual listed on this form.

Donor's Signature or Initials



Apply ►
Barcode
electronically
on bottle

SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

TOP
007443329 S
BOTTOM

Collector's Signature

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO. 007443329
Donor's Signature or Initials

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

Complete all unshaded areas of form.

Affix tamperproof seal and barcode as illustrated.

Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.

Place specimen and laboratory copy of Chain of Custody form in shipping container.

Keep specimen in secure storage until shipped.

Distribute copies of Chain of Custody form as indicated on each copy.

SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

1 samples in this transaction.

PHARMCHEM LABORATORIES, INC.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT

ACCOUNT NUMBER: 100640102 BARCODE NUMBER: 0007425491

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE: 04/05/93
TEST TYPE:
LOCATION CODE:

ACCESSION NUMBER: 930180801
DATE RECEIVED: 04/10/93
DATE REPORTED: 04/19/93

Old Acct. No: FP 64B

KR/SK

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml

PENGAD-Bayonne, N. J.

PLAINTIFF'S
EXHIBIT
F

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoyllecgonine	POSITIVE	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
		Promethazine	negative

Mark Kester

SPECIMEN SEAL INTACT.

COMMENTS:

no meds

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: CHRISTIN CONNOLLY

Date: 04/19/93

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007425491

Mod Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

TLC

COLLECTOR COMPLETES

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☒ No

(This information will appear only on plies 1,3.)

Mark Kester
(This information will appear on all copies.)

Date Collected

4-5-93

Social Security #

Remarks Concerning Collection

No med

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification provided, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.

Collector's Signature

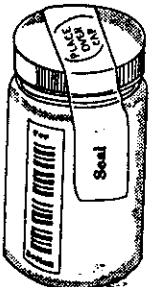
B. Colwell

COMPLETES

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on this form.

Donor's Signature or Initials

[Signature]



Apply ►
Barcode
vertically
on bottle



007425491

S

SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO. 007425491

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To ►

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

Complete all unshaded areas of form.

Affix tamperproof seal and barcode as illustrated.

Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.

Place specimen and laboratory copy of Chain of Custody form in shipping container.

Keep specimen in secure storage until shipped.

Distribute copies of Chain of Custody form as indicated on each copy.

SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES, II
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

ACCOUNT NUMBER:

100640102

BARCODE NUMBER:

0007425637

RESULTS TO:

ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/12/93

KR/SK

ACCESSION NUMBER:

930202806

DATE RECEIVED:

04/17/93

DATE REPORTED:

04/22/93

Old Acct. No: FP 64B

TEST RESULTS			
Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Phenytoin*	
Amphetamine	negative	Phenytoin	negative
Methamphetamine	negative	Glutethimide	
Barbiturates		Glutethimide	negative
Amobarbital	negative	LAAM	
Butabarbital	negative	LAAM	negative
Butalbital	negative	Meperidine	
Pentobarbital	negative	Meperidine	negative
Phenobarbital	negative	Pentazocine	
Secobarbital	negative	Pentazocine	negative
Benzodiazepines		Phenmetrazine	
ACB	negative	Phenmetrazine	negative
MACB	negative	Propoxyphene*	
Cocaine Metabolite		Propoxyphene	negative
Benzoylcegonine	negative	Tricyclics*	
Methadone		Amitriptyline	negative
Methadone	negative	Doxepin	negative
Opiates		Imipramine	negative
Codeine	negative	Phenothiazines	
Hydromorphone	POSITIVE	Chlorpromazine	negative
Morphine	negative	Hydroxyzine	negative
Phencyclidine		Promethazine	negative
Phencyclidine	negative	Cannabinoid 100	
Oxycodone		THC Metabolite	negative
Oxycodone	negative		

PLAINTIFF'S
EXHIBIT
G

Mark
Kester

SPECIMEN SEAL INTACT.

COMMENTS:

No Meds

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: LING LIU

Date: 04/22/93

PHARMCHEM LABORATORIES, I.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 1

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007425637

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/12/93

ACCESSION NUMBER:
DATE RECEIVED:
DATE REPORTED:

930202806
04/17/93
04/22/93

Old Acct. No: FP 64B

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml
Cannabinoid 100	EMIT	100 ng/ml	HPTLC	50 ng/ml

CONTINUED ON NEXT PAGE

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007425637

Federal Probation

Account No. 100640102

Bob Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

JHC
TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☒ No

(This information will appear only on plies 1,3.)

Mark Kester

(This information will appear on all copies.)

Date Collected

4-12-93

Social Security #

Remarks Concerning Collection

0 MEDS

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions

Collector's Signature

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the collector and/or individual listed on this form.

Donor's Signature

COLLECTOR COMPLETES

COMPLETES



Apply ►
Barcode
vertically
on bottle



SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO. 007425637

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.
- Keep specimen in secure storage until shipped.
- Distribute copies of Chain of Custody form as indicated on each copy.
- SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

3 samples in this transaction.

PHARMICHEM LABORATORIES, INC.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT

ACCOUNT NUMBER: 100640102 BARCODE NUMBER: 0007671810

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE: 04/13/93
TEST TYPE:
LOCATION CODE:

KR/SK

Old Acct. No: FP 64B

ACCESSION NUMBER: 930199461
DATE RECEIVED: 04/17/93
DATE REPORTED: 04/22/93

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml

PLAINTIFF'S
EXHIBIT
H

Mark

Kester

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butobarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoyllecgonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
		Promethazine	negative

SPECIMEN SEAL INTACT.

COMMENTS:

No Meds.

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: LING LIU

Date: 04/22/93



1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

R. Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

FED PROBATION

Specimen No. **007671810**

Federal Probation

Account No. **100640102**

TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☒ No

(This information will appear only on plies 1,3.)

MARK KESTER

(This information will appear on all copies.)

Date Collected

4-13-93

Social Security #

Remarks Concerning Collection

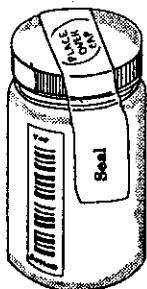
NO MEDS

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification now, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.

Collector's Signature

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on this form.



Apply ►
Barcode
vertically
on bottle

TOP



007671810

BOTTOM



SPECIMEN NO.

007671810

S

SECOND SEAL AND
BARCODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To ►

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.
- Keep specimen in secure storage until shipped.
- Distribute copies of Chain of Custody form as indicated on each copy.

SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMICHEM LABORATORIES,
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007671850

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/15/93

KA/SK

Old Acct. No: FP 64B

ACCESSION NUMBER: 930224288
DATE RECEIVED: 04/23/93
DATE REPORTED: 04/27/93

TEST RESULTS			
Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
MACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoyllecgonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
Cannabinoid 100		Promethazine	negative
THC Metabolite	negative		

PLAINTIFF'S
EXHIBIT

I

Mark Kester

SPECIMEN SEAL INTACT.

COMMENTS:

NO MEPS

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: STEPHEN HOLTZCLAW

Date: 04/27/93

1 samples in this transaction.

PHARMCHEM LABORATORIES, INC.
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 1

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007671850

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/15/93

ACCESSION NUMBER:
DATE RECEIVED:
DATE REPORTED:

930224288
04/23/93
04/27/93

Old Acct. No: FP 64B

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Cannabinoid 100	EMIT	100 ng/ml	HPTLC	50 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml

CONTINUED ON NEXT PAGE



LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007671850

F. Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

THC
TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify: _____

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes ☒ No

(This information will appear only on pages 1,3.)

Mark KESTER

Date Collected

4-15-93

Social Security #

Remarks Concerning Collection

0 MEDS

Temperature

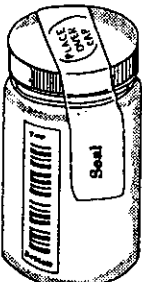
COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification now, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.

Collector's Signature

B. Cleath

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on this form.

Donor's Signature or Initials



Apply ►
Barcode
vertically
on bottle

SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO.

007671850

S

DONOR'S SIGNATURE OR INITIALS



TOP

BOTTOM

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
 - Affix tamperproof seal and barcode as illustrated.
 - Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
 - Place specimen and laboratory copy of Chain of Custody form in shipping container.
 - Keep specimen in secure storage until shipped.
 - Distribute copies of Chain of Custody form as indicated on each copy.
- SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES,
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 2

ACCOUNT NUMBER: 100640102 BARCODE NUMBER: 0007671876

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/16/93

RR/SK

ACCESSION NUMBER: 930211037
DATE RECEIVED: 04/20/93
DATE REPORTED: 04/22/93

Old Acct. No: FP 64B

TEST RESULTS			
Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Phenytoin*	
Amphetamine	negative	Phenytoin	negative
Methamphetamine	negative	Glutethimide	
Barbiturates		Glutethimide	negative
Amobarbital	negative	LAAM	
Butabarbital	negative	LAAM	negative
Butalbital	negative	Meperidine	
Pentobarbital	negative	Meperidine	negative
Phenobarbital	negative	Pentazocine	
Secobarbital	negative	Pentazocine	negative
Benzodiazepines		Phenmetrazine	
ACB	negative	Phenmetrazine	negative
MACB	negative	Propoxyphene*	
Cocaine Metabolite		Propoxyphene	negative
Benzoylcegonine	negative	Tricyclics*	
Methadone		Amitriptyline	negative
Methadone	negative	Doxepin	negative
Opiates		Imipramine	negative
Codeine	negative	Phenothiazines	
Hydromorphone	POSITIVE	Chlorpromazine	negative
Morphine	negative	Hydroxyzine	negative
Phencyclidine		Promethazine	negative
Phencyclidine	negative	Cannabinoid 100	
Oxycodone		THC Metabolite	negative
Oxycodone	negative		



SPECIMEN SEAL INTACT.

COMMENTS:

No Meds

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: STEPHEN HOLTZCLAW

Date: 04/22/93

PHARMICHEM LABORATORIES,
1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY
REPORT
Page: 1

ACCOUNT NUMBER: 100640102 BARCODE NUMBER:

0007671876

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/16/93

ACCESSION NUMBER:
DATE RECEIVED:
DATE REPORTED:

930211037
04/20/93
04/22/93

Old Acct. No: FP 64B

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml
Cannabinoid 100	EMIT	100 ng/ml	HPTLC	50 ng/ml

CONTINUED ON NEXT PAGE

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007671876

Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

TLC
+HC

COLLECTOR COMPLETES	Reason For Test (Check One)					
	<input type="checkbox"/> 01 Preemployment	<input checked="" type="checkbox"/> 02 Random	<input type="checkbox"/> 03 Accident	<input type="checkbox"/> 04 Medical	<input type="checkbox"/> 05 Cause	<input type="checkbox"/> 06 Other Specify: _____
	Specimen Type			Split Sample (Collect only if required by Client)		
	<input checked="" type="checkbox"/> Urine	<input type="checkbox"/> Blood	<input type="checkbox"/> Urine and Blood	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	(This information will appear only on plies 1,3.)			Date Collected		
	(This information will appear on all copies.)			Social Security #		
	Remarks Concerning Collection			Temperature		
	COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification now, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.					
	Collector's Signature <i>[Signature]</i>					
DONOR COMPLETES	DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on this form.					
	Donor's Signature/Initials <i>[Signature]</i>					



Apply ►
Barcode
vertically
on bottle

TOP



BOTTOM

007671876 S

SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE



SPECIMEN NO.

007671876

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping	Airbill #	Date Shipped	Ship Specimen To	PharmChem Laboratories, Inc. 1505-A O'Brien Drive Menlo Park, CA 94025-1435
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INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
 - Affix tamperproof seal and barcode as illustrated.
 - Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
 - Place specimen and laboratory copy of Chain of Custody form in shipping container.
 - Keep specimen in secure storage until shipped.
 - Distribute copies of Chain of Custody form as indicated on each copy.
- SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1

PHARMCHEM LABORATORIES, 1505-A O'Brien Drive, Menlo Park, CA, 94025

LABORATORY REPORT

ACCOUNT NUMBER: 100640102 BARCODE NUMBER: 0007671930

RESULTS TO:
ATT: Rod Baker, CUSPO
U.S. Probation Office
333 W. 4th St. Ste. 3270
Tulsa, OK 741033819

SPECIMEN ID:
SPECIMEN ID:
SPECIMEN DATE:
TEST TYPE:
LOCATION CODE:

04/19/93

KR/SR

ACCESSION NUMBER: 930225564
DATE RECEIVED: 04/23/93
DATE REPORTED: 04/27/93

Old Acct. No: FP 64B

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Oxycodone	TLC	1000 ng/ml	GC	1000 ng/ml
Phenytoin*	TLC	1000 ng/ml	GC	1000 ng/ml
Glutethimide	TLC	1000 ng/ml	GC	1000 ng/ml
LAAM	TLC	1000 ng/ml	GC	1000 ng/ml
Meperidine	TLC	1000 ng/ml	GC	1000 ng/ml
Pentazocine	TLC	1000 ng/ml	GC	1000 ng/ml
Phenmetrazine	TLC	1000 ng/ml	GC	1000 ng/ml
Propoxyphene*	TLC	1000 ng/ml	GC	1000 ng/ml
Tricyclics*	TLC	1000 ng/ml	GC	1000 ng/ml
Phenothiazines	TLC	1000 ng/ml	GC	1000 ng/ml

PLAINTIFF'S
EXHIBIT
K

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Oxycodone	
Amphetamine	negative	Oxycodone	negative
Methamphetamine	negative	Phenytoin*	
Barbiturates		Phenytoin	negative
Amobarbital	negative	Glutethimide	
Butabarbital	negative	Glutethimide	negative
Butalbital	negative	LAAM	
Pentobarbital	negative	LAAM	negative
Phenobarbital	negative	Meperidine	
Secobarbital	negative	Meperidine	negative
Benzodiazepines		Pentazocine	
ACB	negative	Pentazocine	negative
HACB	negative	Phenmetrazine	
Cocaine Metabolite		Phenmetrazine	negative
Benzoyllecgonine	negative	Propoxyphene*	
Methadone		Propoxyphene	negative
Methadone	negative	Tricyclics*	
Opiates		Amitriptyline	negative
Codeine	negative	Doxepin	negative
Hydromorphone	POSITIVE	Imipramine	negative
Morphine	negative	Phenothiazines	
Phencyclidine		Chlorpromazine	negative
Phencyclidine	negative	Hydroxyzine	negative
		Promethazine	negative

SPECIMEN SEAL INTACT.

COMMENTS:

No Meas

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: CHRISTIN CONNOLLY

Date: 04/27/93

LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS

FED PROBATION

Specimen No. 007671930

Red Baker, CUSPO
Federal Probation Office
P.O. Box 1287
Tulsa, OK 74101

Federal Probation

Account No. 100640102

TLC

Reason For Test (Check One)

☐ 01 Preemployment ☒ 02 Random ☐ 03 Post Accident ☐ 04 Periodic Medical ☐ 05 Reasonable Cause ☐ 06 Other Specify:

Specimen Type

☒ Urine ☐ Blood ☐ Urine and Blood ☐ Split Sample (Collect only if required by Client) ☐ Yes ☒ No

(This information will appear only on plies 1,3)

Mark Kester
(This information will appear on all copies.)

Date Collected

4-19-93

Social Security #

Remarks Concerning Collection

0 meds

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions

Collector's Signature

B. Cleuth

DONOR CERTIFICATION AND CONSENT: I certify that the specimen accompanying this form is my own and that I provided it to the collector. Further, I certify that the specimen container was sealed with a tamperproof seal in my presence and that the information provided on this form and on the label is correct. Also, I consent to the analysis of the specimen accompanying this form by the laboratory and to the release by the laboratory of the results of the analysis as well as the information recorded on this form to the organization and/or individual listed on this form.

Donor's Signature or Initials

Mark Kester



TOP



BOTTOM

007671930 S

Apply
arcade
vertically
bottle

SECOND SEAL AND
CODE FOR BLOOD
SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO.

007671930

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping	Airbill #	Date Shipped	Ship Specimen To	PharmChem Laboratories, Inc. 1505-A O'Brien Drive Menlo Park, CA 94025-1435
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INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.
- Keep specimen in secure storage until shipped.
- Distribute copies of Chain of Custody form as indicated on each copy.
- SEND TO MEDICAL REVIEW OFFICER, IF APPLICABLE

PLY 1



Correctional Counseling
a unit of Freedom House

THIS INFORMATION HAS BEEN DISCLOSED TO YOU FROM RECORDS SUBJECT TO THE DISPOSITIONALITY RULES (42 CFR PART 2). THE FEDERAL RULES PROHIBIT YOU FROM MAKING ANY FURTHER DISCLOSURE OF THIS INFORMATION UNLESS FURTHER DISCLOSURE IS EXPRESSLY PERMITTED BY THE WRITTEN CONSENT OF THE PERSON TO WHOM IT PERTAINS OR AS OTHERWISE PERMITTED BY 42 CFR PART 2. A GENERAL AUTHORIZATION FOR THE RELEASE OF MEDICAL OR OTHER INFORMATION IS NOT SUFFICIENT FOR THIS PURPOSE. THE FEDERAL RULES RESTRICT ANY USE OF THE INFORMATION TO CRIMINALLY INVESTIGATE OR PROSECUTE ANY ALCOHOL OR DRUG ABUSE PATIENT.

TO: Kevin Robbins, United States Probation Office
U.S. District Court, Northern District of Oklahoma

FROM: John W. Nord, M.A., Case Counselor



TREATMENT UPDATE

CLIENT: Mark Kester

DATE OF REPORT: 4-27-93

S.S.#: 525-15-0599

REPORT PERIOD: 3-31-93 to
4-22-93

D.O.B.: 10-5-61

BACKGROUND:

Client was referred for placement in Therapeutic Community on 4-1-93 by the United States Probation Office due to a recent dirty U.A. submitted by the client. Mr. Kester's adjustment to our program was inadequate due to the client's instability. Freedom House staff on two separate occasions could not locate client on the grounds of the facility when his sign-in log indicated that he was present. When he was located, he reported that he had only walked around the block "to cool off", even though it is against center rules to leave the center property without permission. Staff also found it necessary to restrict Mr. Kester from seeing his girlfriend for one week. It became evident to myself and the other staff counselor (Warren Reichert) that the resident was experiencing difficulties in this relationship. On several occasions Mr. Kester appeared to be agitated, confused, and emotionally distraught after visiting with his girlfriend. Both Mr. Reichert and myself met with Mr. Kester and separately on several occasions. Finally, staff was informed that the client submitted a dirty U.A. on 4-5-93 for cocaine, benzo, and hydromorphone. It was at this time that staff recommended to the United States Probation Office that Mr. Kester be removed from the facility due to safety and security concerns.

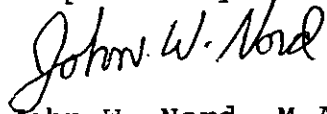
RECOMMENDATIONS:

It is believed that Mr. Kester is in need of long-term treatment for substance abuse and psychological problems. It is my professional opinion that Freedom House is not able to provide the client

Mark Kester Treatment Update
Page Two

with the treatment and security needs of Mr. Kester at this time.
I recommend Mr. Kester be placed in a secure environment and that
intense psychological treatment be made available to the client.

Respectfully submitted,

A handwritten signature in cursive script that reads "John W. Nord". The signature is written in dark ink and is positioned above the printed name.

John W. Nord, M.A.

JWN/nw